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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date of Deposit:	9/30/04	Name of Person Making the Deposit:	Kerry Erin Kelly	Signature of the Person Making the Deposit:
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OCT 08 2004

Inventor(s): DePaolantonio, J.

Application No.: 09/863,233

Group Art Unit: 2633

Filed: May 21, 2001

Examiner: C. Leung

Technology Center 260

Title: CARRIER CLASS DWDM OPTICAL NETWORK AUDIT TOOL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE MAILING DATE OF  
EITHER A FINAL ACTION OR NOTICE OF ALLOWANCE § (37 C.F.R. 1.97(c))

**TIME OF TRANSMITTAL OF ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:
  - (1) a final action under § 1.113 or
  - (2) a notice of allowance under § 1.311.

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**STATEMENT OR FEE**

2. Accompanying this transmittal is

A.  a statement as specified in 37 C.F.R. § 1.97(e).

or

B.  the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under § 1.97(c). (\$180.00).

**FEE PAYMENT**

3. Applicant elects the option to pay the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement under 1.97(c) (\$180.00).

Fee due \$ 180.00

**METHOD OF PAYMENT OF FEE**

4.  Enclosed is a check for \$180.00.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No.: 23-0085. A duplicate copy of this authorization is enclosed.

Charge any fees required or credit any overpayments associated with this filing to Deposit Account No.: 23-0085.

Please direct all correspondence concerning the above-identified application to the following address:

**WAGNER, MURABITO & HAO LLP**  
Two North Market Street, Third Floor  
San Jose, California 95113  
(408) 938-9060  
Customer No: 000045593

Respectfully submitted,

Date: September 30, 2004

By: Reginald A. Ratliff  
Reginald A. Ratliff  
Reg. No. 48,098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**Inventor(s): **DePaolantonio, J.**

OCT 08 2004

Application No.: **09/863,233**Group Art Unit: **2633**

Technology Center 2600

Filed: **May 21, 2001**Examiner: **C. Leung**Title: **CARRIER CLASS DWDM OPTICAL NETWORK AUDIT TOOL**

Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Information Disclosure Statement Submitted Pursuant to 37 C.F.R. 1.97(c)

The citations referenced herein, copies attached, may be material to the examination of the above-identified application and are, therefore, submitted in compliance with the duty of disclosure as defined in 37 C.F.R. 1.56. The Examiner is requested to make these citations of official record in the application.

This Information Disclosure Statement submitted in accordance with 37 C.F.R. 1.97(c) is not to be construed as a representation that a search has been made, that additional items material to the examination of this application do not exist, or that any one or more of these citations constitute prior art under 35 U.S.C. 102.

The Examiner's attention is respectfully directed to the following U.S. Patents:

Pat. No.	Pat. Title	Grant Date
5,968,122	Test Apparatus	11/22/1994
6,026,500	Method and System for Managing Computer Systems	02/15/2000
6,115,743	Interface System for Integrated Monitoring and Management of network Devices in a Telecommunications Network	09/05/00
6,229,540 B1	Auditing Networks	05/08/01
6,456,306 B1	Method and Apparatus for Displaying Health Status of Network Devices	09/24/02
6,470,385 B1	Network Monitoring System, Monitored Controller, and Monitoring Controller	10/22/2002
6,529,473 B1	Device for ATM Cell Switching, with Failure Tolerance	03/04/2003
6,584,535 B1	Configurable serial Interconnection	06/24/2003

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Technology Center 2600 Attorney Docket No.: CSCO-3808

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application

Inventor(s): **DePaolantonio, J.**

Application No.: **09/863,233** Group Art Unit: **2633**

Filed: **May 21, 2001** Examiner: **C. Leung**

Title: **CARRIER CLASS DWDM OPTICAL NETWORK AUDIT TOOL**

Form 1449

**U.S. Patent Documents**

Examiner Initial	No.	Patent No.	Date	Patentee	Class	Sub class	Filing Date
	A	5,968,122	10/19/1999	Schlosser et al	709	223	3/31/1997
	B	6,026,500	02/15/2000	Guido et al	714	26	5/13/1997
	C	6,115,743	9/5/2000	Cowan et al	709	224	9/22/1998
	D	6,229,540 B1	5/8/2001	Tonelli et al	345	356	10/13/1998
	E	6,456,306 B1	9/24/2002	Chin et al	345	810	9/22/2000
	F	6,470,385 B1	10/22/2002	Nakashima et al	709	224	8/20/1998
	G	6,529,473 B1	3/4/2003	Bavant et al	370	217	10/10/1997
	H	6,584,535 B1	6/24/2003	Oullet	710	305	1/31/2000

Examiner	Date Considered
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.